

ORDER NO. 08-04-03-17-421

UNITED STATES DEPARTMENT OF AGRICULTURE

CHEROKEE NATIONAL FOREST

Emergency Closure Due to Wildfire

Pursuant to provisions of 16 U.S.C., Section 551, and Title 36 CFR, Section 261.50 (a), the following prohibitions apply to the "Big Poplar Fire Area", NFSR1168, and a portion of NFSR66 (Ditney Mountain Road, from NFSR 23, McFarland Road, to NFSR 68, Kimsey Highway) located on the Ocoee/Hiwassee Ranger District, within the Cherokee National Forest in Polk County, TN. shown on the attached map.

1. Going into or upon National Forest Lands known as the Big Poplar Fire Area and the associated forest roads.

The above-prohibited act is set forth in Title 36 CFR Section 261.53 (e) for the purpose of public health and safety.

Pursuant to 36 CFR, Section 261.50 (e), the following persons or areas are exempt from this Order:

1. Person with a contract specifically authorizing the otherwise act or omission.
2. Any U.S. Forest Service employee engaged in their official duties.
3. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.

Executed in Cleveland, Tennessee, this 19 day of November, 2016.



D. JaSal Morris
Forest Supervisor
Cherokee National Forest

ORDER REMAINS IN EFFECT NOT TO EXCEED 120 DAYS

Violation of the prohibition set forth above is punishable by a fine of not more than \$5,000 for an individual and \$10,000 for an organization, or imprisonment for not more than six (6) months, or both. See 16 U.S.C. 551, 18 U.S.C. 3559 and 3571.

**National Environmental Policy Act and Civil Rights Statements
Supporting Big Poplar Fire Area and Road Closure
Cherokee National Forest
Order # 08-04-03-17-421**

NEPA

Section 102 of the National Environmental Policy Act (NEPA) requires federal agencies to prepare detailed statements of proposed major federal actions significantly affecting the quality of the human environment (42 U.S.C. § 4332). The proposed action (emergency area closure for public and fire fighter safety) will result in no tangible or perceptible effects to the natural and physical environment; therefore the effects cannot be meaningfully evaluated in detail. Only social effects are affected. 40 CFR 1508.14. Therefore, NEPA Section 102 (2)(c) would not apply. This action is consistent with the Cherokee National Forest 2004 Revised Land and Resource Management Plan. No additional NEPA documentation is required to proceed with implementation of this order.



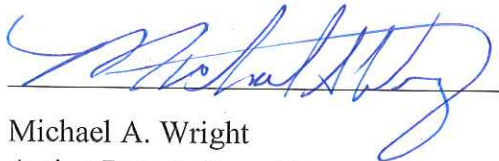
Michael A. Wright
Acting Deputy Forest Supervisor
Cherokee National Forest

11/19/2016

Date

Civil Rights

Major civil rights are those consequences of proposed policy actions that, if implemented, would negatively and disproportionately affect groups or classes of people by virtue of their race, color, sex, national origin, age relation, family status, or disability. As Acting Deputy Forest Supervisor, I considered the impact of this proposal on the civil rights of minorities, women, persons with disabilities, and other protected groups. In considering the effects of the proposed action, I determined that the civil rights of any protected group or class of people would not be affected by this project. Therefore, it is my determination that there will be no potential for major civil rights or social impacts to those listed above related to the Rattlesnake Hollow Fire Area Closure, and a Civil Rights Impact Analysis (CRIA) and /or Civil Rights Impact Statement (CRIS) are not required. Although the actions appear as if they would affect ten or more persons or entities either inside or outside the Forest Service, I believe the CRIA and CRIS are not needed because the decision is an administrative action that is not listed as one of the six specific categories for which the preparation of a CRIS is required (see Forest Service Manual 1730).



Michael A. Wright
Acting Deputy Forest Supervisor
Cherokee National Forest

11/19/2016

Date

**BIG POPLAR FIRE
CLOSURE
ORDER: 08-04-03-17-421
EFFECTIVE DATE: 11/19/2016**

